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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 TRAVIS K. LOGG,

9 Plaintiff,

10 v.

11 ABILENE MOTOR EXPRESS, INC.,  
12 and DAVID W. BROOKS,

Defendants.

C18-1398 TSZ

MINUTE ORDER

13 The following Minute Order is made by direction of the Court, the Honorable  
14 Thomas S. Zilly, United States District Judge:

15 (1) Defendants' Motion for Judgment on the Pleadings, docket no. 6, is  
16 GRANTED.<sup>1</sup> Defendant Abilene Motor Express, Inc. ("Abilene") has admitted that  
17 Defendant Brooks was employed by Abilene and was acting within the course and scope  
18 of his employment at the time of the incident giving rise to this litigation. *See* Answer,  
19 docket no. 5, ¶ 2. Under Washington law, "an injured party generally cannot assert  
20 claims for negligent hiring, retention, supervisions or training of an employee when the  
21 employer is vicariously liable for the employee's conduct." *Evans v. Tacoma Sch. Dist.*  
22 *No. 10*, 195 Wn. App. 25, 47 (2016) (citing *LaPlant v. Snohomish County*, 162 Wn. App.  
23 476, 479-80 (2011)). Plaintiff has failed to point to any authority indicating this principle  
is not settled law. Plaintiff's Count I for negligence against Abilene, Complaint, docket  
no. 1-1, ¶¶ 50-63, is DISMISSED WITH PREJUDICE.

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22 <sup>1</sup> Although styled as a motion for judgment, the motion seeks only partial judgment and  
23 dismissal of the first of two claims.

(2) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Dated this 13th day of November, 2018.

William M. McCool  
Clerk

s/Karen Dews  
Deputy Clerk